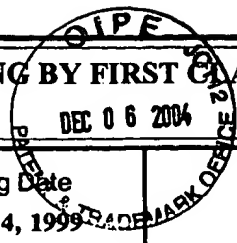


15 JAE 2614
lpw




CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No. C-DIT-1806 Fiesel	
Applicant(s): Fiesel				
Application No. 09/325,930	Filing Date June 4, 1999	Examiner Natnael, Paulos M.	Customer No. 28581	Group Art Unit 2614

Invention:
FREQUENCY CONVERTER FOR A TELEVISION SIGNAL

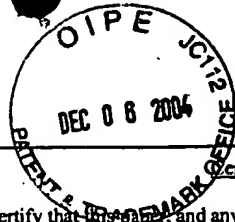
I hereby certify that this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office
(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to ^{mail stop petitions} "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 1, 2004
(Date)

Cheryl L. Powell
(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

Action and Acknowledgment Postcard.



Certificate of Mailing Pursuant to 37 C.F.R. § 1.8

I hereby certify that this paper, and any paper or fee referred to as being transmitted herewith, is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

Date of Deposit December 1, 2004

Cheryl L. Powell
Name of Person Mailing Paper

Cheryl L. Powell
Signature of Person Mailing Paper

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application	:	Group Art Unit: 2614
Fiesel	:	
Serial Number: 09/325,930	:	Examiner: Natnael, Paulos M.
	:	
Filed: June 4, 1999	:	Attn. Docket No.: C-DIT-1806
	:	
Title: Frequency Converter for a Television Signal	:	Date: December 1, 2004
	:	

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION**

Applicant hereby petitions under 37 CFR 1.181 MPEP 711.03(c) for withdrawal of the holding of abandonment of the above-identified application based on the failure to receive a Final Office Action mailed on November 18, 2003.

STATEMENT:

1. The attorneys of record in the above-identified application include the undersigned attorney and Arthur L. Plevy (Mr. Plevy).
2. Mr. Plevy is no longer with Duane Morris LLP, therefore, the undersigned attorney is handling this matter.
3. The above-identified application was filed by Mr. Plevy on June 4, 1999.
4. At the time of filing Mr. Plevy's mailing address was GREENBAUM, ROWE, SMITH, RAVIN, DAVIS & HIMMEL LLP, P.O. Box 5600, Woodbridge, NJ 07095-0988. A copy of the original application transmittal paper and a copy of the combination declaration and power of attorney, both of which showing the address of Mr. Plevy, are enclosed herewith.
5. On September 24, 2001 Mr. Plevy filed a first status inquiry and a Change Of Correspondence Address (PTO form 122) requesting that the correspondence address in the above-identified application be changed to customer number 28581, which at the time corresponded to Duane Morris LLP, 100 College Road West, Suite 100, Princeton, New Jersey 08540. A copy of these papers and the corresponding return receipt post card stamped by the USPTO on September 26, 2001 is enclosed herewith.
6. On October 10, 2001 Mr. Plevy received a written response to the above inquiry from the Customer Service Office of the USPTO stating that an Office Action would be issued by October, 2002. A copy of this paper is enclosed herewith.
7. On June 19, 2002 the USPTO mailed a non-final Office Action to Mr. Plevy's former address set forth in paragraph 2. A copy of the front page of the Office Action is enclosed herewith.
8. On September 24, 2002 Mr. Plevy filed an amendment responding to the Office Action of June 19, 2002.

7. On August 8, 2003 Mr. Plevy filed a second status inquiry and a duplicate copy of the Change Of Correspondence Address filed on September 24, 2001. A copy of these papers and the corresponding return receipt post card received by Mr. Plevy on August 14, 2003, but inexplicably not date stamped by the USPTO, are enclosed herewith.

8. A search of the file jacket of the application indicates that there is a note signed by Mr. Plevy's legal assistant indicating that on September 2, 2003, Examiner Natnael called Mr. Plevy to request the status of the application. The note also indicates that Examiner Natnael was going to pull the application file and call Mr. Plevy back. A copy of this note is enclosed herewith.

9. A search of the file jacket of the application revealed no indication that Examiner Natnael called Mr. Plevy back.

10. On or about July 14, 2004, Examiner Natnael called and spoke with the undersigned attorney to inquire as to whether a response to a Final Office Action mailed on November 18, 2003 was filed. The undersigned attorney asked Examiner Natnael to forward a copy of the Final Office Action mailed on November 18, 2003 so that the undersigned attorney could determine the next course of action. Examiner Natnael requested that copies of the status inquiry of August 2003, the change of address of September 24, 2001 and the return receipt post cards for same be sent to him at the USPTO by facsimile transmission.

11. On July 15, 2004 the undersigned attorney transmitted copies of the status inquiry of August 2003, the change of address of September 2001 and the return receipt post cards for same to Examiner Natnael by facsimile transmission. A copy of the facsimile transmittal sheets, transmission reports, and Auto-Reply Facsimile Transmission report are enclosed herewith.

12. A search of the file jacket of the application revealed no indication that Examiner Natnael responded to the facsimile transmission of July 15, 2004.

13. On October 1, 2004 the undersigned attorney called Examiner Natnael to again request a copy of the Final Office Action mailed on November 18, 2003.

14. On October 1, 2004 the undersigned attorney received, by Facsimile transmission from Examiner Natnael, copies of the Final Office Action mailed on November 18, 2003 and a Notice of Abandonment. Copies of the received Final Office Action and Notice of Abandonment are enclosed herewith.

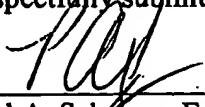
15. A search of the file jacket of the application indicates that the Final Office action mailed on November 18, 2003 and the Notice of Abandonment were not received by Attorneys for Applicant. A copy of the docket record where the non-received Office action mailed on November 18, 2003 would have been entered had it been received and docketed by attorneys for applicant is attached herewith.

16. This petition is believed to be timely under 37 CFR 1.181 (f), as it was filed within two months of the receipt of the Notice of Abandonment transmitted on October 1, 2004 by facsimile transmission.

17. No fee is believed to be due as a result of this communication. The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Deposit Account No. 50-2061.

Respectfully submitted,

By:


Paul A. Schwarz, Esq.
Reg. No. 37,577

Duane Morris LLP
P.O. Box 5203
Princeton, NJ 08543-5203
(609) 631-2446 (phone)
(609) 631-2401 (fax)

GREENBAUM, ROWE, SMITH,
RAVIN, DAVIS & HIMMEL LLP

COUNSELLORS AT LAW

METRO CORPORATE CAMPUS ONE
P.O. BOX 5600
WOODBIDGE, NEW JERSEY 07095-0988
(732) 549-5600
TELECOPIER (732) 549-1881
ABA NET 2529

DELIVERY ADDRESS:
99 WOOD AVE. SOUTH
ISELIN, NEW JERSEY 08830-2712

6 BECKER FARM RD.
ROSELAND, NEW JERSEY 07068-1735
(973) 535-1600
TELECOPIER (973) 535-1698



WM L GREENBAUM (1914-1983)
ALLEN RAVIN (1937-1997)

ROBERT S GREENBAUM
ARTHUR M GREENBAUM
PAUL A ROWE
WENDELL A SMITH
ALAN E DAVIS
DAVID L BRUCA
MICHAEL B HIMMEL
ARTHUR L PLEVY
MICHAEL A BACKER
DEAN A GAVER
ROBERT C SCHACHTER
MARTIN L LEPELSTAT
DENNIS A ESTIS
WILLIAM D GRAND
BENJAMIN D LAMBERT JR
ALAN S NAAR
MARK H SOBEL
HAL W MANDEL
BARRY S GOODMAN
PETER A BUCHSBAUM
LAWRENCE P MAHER
THOMAS J DENITTO JR
ROBERT S GOLDSMITH

JOHN D NORTH
KENNETH T BILLS
THOMAS C SENTER
MARGARET GOODIEZ
ROBERT J KIPNEES
W RAYMOND FELTON
CHRISTINE F J
MERYL A G GONCHAR
MICHAEL R FEINBERG
CARLTON T SPILLER
JAMES E PATTERSON
JOSEPH M ORIOLO
LLOYD H TUBMAN
SABRINA A SOBEL
JACQUELINE M PRINZ
MARJORIE F CHERTON
LAWRENCE M WERTHEIM
DAVID B HIMELMAN
GARY R WOLINETZ
KEVIN T MCNAMARA
RICHARD L KERTZBERG
ELLEN A SIVER
ANDREA J SULLIVAN

DANIEL L GOLDEN OF COUNSEL
STEVEN S GOLDBERG OF COUNSEL
NJ LEGISLATIVE AGENT
SHERRYL W KAUFMAN, OF COUNSEL

ALLEN V BROWN
ROBERT S UNDERHILL
STEVEN FINKLER
SUSAN ORIN GOLDSMITH
JAMES A MCHONEY
JESSICA R MAYER
ANNE DONLON MORRISON
CHRISTINE F MARKS
MARC D POLICASTRO
DIANE V GARRITY
JONATHAN W PHILLIP
MARC J GROSS
PAUL A SCHWARZ
LUKE J KEALY
CHRISTOPHER S PORRINO
JEFFREY M SHAPIRO
JOHN L ROSENBERG
MIA L STUART
RICHARD L ELBERT

AARON R EASLEY
JESSICA L RYLE
KEITA ARCHIE YOUNG
CIPORA S WINTERS
MARCUS A BANKS
DILIP B PATEL
JODI S ELIGBERG
EDWARD J HOWARD
LORI A BERGER
VICTORIA A KARLSON
ROSEMARY CULCASI
WILLIAM D BRICK
RACHEL M COE
KELLY M BROWN
JONATHAN M DARCY
EMILY A KALLER
DEIRDRE W HAUGHTON
BRIAN J WATERS
ARREN S GOLDMAN
ALAN A BORNSTEIN

June 4, 1999

REPLY TO

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

Atty Dkt #: C-DIT-1806/FIESEL
Inventor(s): Hans FIESEL
Title: FREQUENCY CONVERTER FOR A TELEVISION SIGNAL

Dear Sir:

Enclosed herewith please find the following documents in the above-identified application for Letters Patent of the United States:

1 Pages of Abstract
14 Pages of Specification
20 Number of Claims
1 Sheets of Drawings
X Declaration, Power of Attorney
X Express Mail Certification No. EJ527536374US
X Priority Document- German Patent No. 198 25 455.5
X Postcard Receipt - PLEASE PROVIDE FILING DATE AND SERIAL NO.

Check No. 1441 for \$760.00 calculated below:

Basic Fee	\$760.00
Additional Fees:	
Total claims (including multiple dependent claims) <u>20</u>	
Total claims in excess of 20 <u>0</u> X \$18.00	<u>0.00</u>
Independent claims <u>3</u>	
Independent claims over 3 <u>0</u> X \$78.00	<u>0.00</u>
Fee for multiple dependent claim(s) \$260.00	<u>0.00</u>
TOTAL FEES ENCLOSED	\$760.00

IF THERE ARE ANY FEES DUE AND OWING, PLEASE CHARGE DEPOSIT ACCOUNT
NO. 50-0713.

Respectfully submitted,

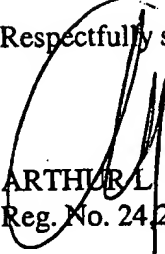
ARTHUR L. PLEVY

ALP:sb

to this status letter. Such reply may be faxed to the following correspondence address:


Arthur L. Plevy
Duane, Morris & Heckscher LLP
100 College Road West
Suite 100
Princeton, New Jersey 08540
Phone- 609-919-4402
Fax- 609-919-4401

Respectfully submitted,


ARTHUR L. PLEVY
Reg. No. 24,277

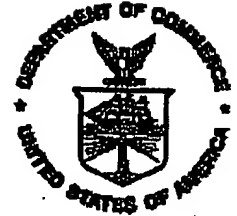
Duane, Morris & Heckscher LLP
100 College Road West, Suite 100
Princeton, New Jersey 08540
(609) 919-4402 - telephone
(609) 919-4401 - facsimile

I hereby certify that this Status Inquiry is being mailed via first class mail with the United States Post Office under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, Washington, DC 20231.


Cheryl L. Powell



STATUS LETTER REPLY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Washington, D.C. 20231

Serial Number: 09/325,930

Group Art Unit: 2611

Filing Date: 6/04/99

Attorney Reference: C-DIT-1806
Feisel

REQUESTER: Arthur Perry

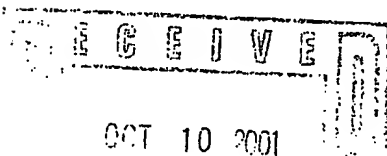
☒ Attorney of Record

- ☐ Not of Record. Therefore, the following status information is being released to the following ATTORNEY OF RECORD: _____
- ☐ Not of Record. Unfortunately, the status information can not be released because the requestor is not of record. If the requester should be of record, please forward additional changes to the Power of Attorney to the Customer Service Office.

STATUS INFORMATION

☒ Action by the examiner
Expected date for action on this application
Month: 10 Year: 02

☐ Other (explain) _____



Erika Gandy
Customer Service Office
Technology Center 2600
(703) 306-0377 (voice)
(703) 872-9313 (fax)

10/1/02 Status CK

DOCKETED
10/10/01

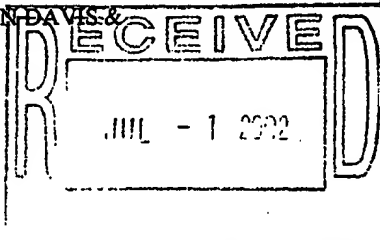


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/325,930	06/04/1999	HANS FIESEL	C-DIT-1806/FIESEL FIESEL	3464

7590 06/19/2002
ARTHUR L PLEVY ESQ
GREENBAUM ROWE SMITH RAVIN DAVIS &
HIMMEL LLP
PO BOX 5600
WOODBIDGE, NJ 070950988



EXAMINER	
NATNAEL, PAULO M	
ART UNIT	PAPER NUMBER
2614	

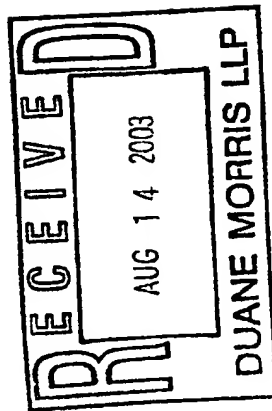
DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

9/19/02 O.A. Resp. Due (3mo.)
12/19/02 (Deadline)
ALP

PCm 7/2/02

✓



DUANE MORRIS LLP
ATTORNEYS AT LAW
100 COLLEGE ROAD WEST, STE 100
PRINCETON, NJ. 08540-6604

Serial No.: 091/325,930 Filing Date: 6-4-99 DM File No.: F1551 C-DIT-1800

Title: Frequency Converter for a Television Signal

First Inventor: Fiesel Date: 8-18-03

The PTO has received: Last Due Date: _____

<input type="checkbox"/> Patent Application of _____	<input type="checkbox"/> TM Application	<input type="checkbox"/> ITU Basis
Pages (Including claims & abstract)	<input type="checkbox"/> Statement of Use	
<input type="checkbox"/> Declaration or <input type="checkbox"/> Designation Sheet	<input type="checkbox"/> Extension of Time	
<input type="checkbox"/> Drawings _____ Sheet(s)/Figs. _____ to _____	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Priority Document	<input type="checkbox"/> Brief	
<input type="checkbox"/> Small Entity Declaration	<input type="checkbox"/> Petition	
<input type="checkbox"/> Assignment & Conveyance Cover Sheet	<input checked="" type="checkbox"/> Status Request	PTO STAMP
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Issue Fee	
<input type="checkbox"/> PTO 1449	<input type="checkbox"/> Application for Renewal	
<input type="checkbox"/> Amendment	<input type="checkbox"/> Specimen _____	
<input type="checkbox"/> Affidavit or Declaration	<input checked="" type="checkbox"/> Certificate of Mailing	
<input checked="" type="checkbox"/> <u>copy of previously filed change of</u> <u>corresponding address</u>	<input type="checkbox"/> Express Mail No. _____	
<input type="checkbox"/> Check No. _____ for \$ _____	<input checked="" type="checkbox"/> <u>copy of 2 postcards</u>	
Atty/Secy <u>ALPUP</u>		



DECLARATION AND POWER OF ATTORNEY (Patent, Design or C-I-P Application)

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are stated below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FREQUENCY CONVERTER FOR A TELEVISION SIGNAL the specification of which

☒ is attached hereto
was filed on _____ as Application Serial No. _____ and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
GERMANY	198 25 455.5-31	JUNE 6, 1998	YES <input checked="" type="checkbox"/> NO

LISTING OF FOREIGN APPLICATIONS CONTINUED ON PAGE 2 HEREOF: YES ☐ NO ☒

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first page of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application

(Application Serial No.) _____ (Filing Date) _____ (Status)
(patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

ARTHUR L. PLEVY, Reg. No. 24,277; EDWARD J. HOWARD, Reg. No. 42,670; JONATHAN M. DARCY, P. Reg. No. 44,054; ALAN A. BORNSTEIN, Reg. No. 40,919; and PAUL A. SCHWARZ, Reg. No. 37577	
SEND CORRESPONDENCE TO: Arthur L. Plevy, Esq. GREENBAUM, ROWE, SMITH, RAVIN, DAVIS & HIMMEL LLP P.O. Box 5600 Woodbridge, NJ 07095-0988	DIRECT TELEPHONE Arthur L. Plevy, Esq. CALLS TO: (732) 549-5600

FULL NAME OF INVENTOR #1	LAST NAME: FIESEL	FIRST NAME: HANS	MIDDLE NAME:
RESIDENCE & CITIZENSHIP	CITY: GLOTTERTAL	STATE OR FOREIGN COUNTRY: GERMANY	COUNTRY OF CITIZENSHIP: GERMANY
POST OFFICE ADDRESS	POST OFFICE ADDRESS: LEIMENECKSTRASSE 8d	CITY: GLOTTERTAL	STATE OR COUNTRY AND ZIP CODE: GERMANY D-79286
FULL NAME OF INVENTOR #2	LAST NAME:	FIRST NAME:	MIDDLE NAME:
RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE OR COUNTRY AND ZIP CODE:
FULL NAME OF INVENTOR #3	LAST NAME:	FIRST NAME:	MIDDLE NAME:
RESIDENCE & CITIZENSHIP	CITY:	STATE OR FOREIGN COUNTRY:	COUNTRY OF CITIZENSHIP:
POST OFFICE ADDRESS	POST OFFICE ADDRESS:	CITY:	STATE OR COUNTRY AND ZIP CODE:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor #1	Signature of Inventor #2	Signature of Inventor #3
Date:	Date:	Date:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:
Fiesel

Serial No.: 09/325,930

Filing Date: 6/4/99

For: **FREQUENCY CONVERTER
FOR A TELEVISION SIGNAL**

Group Art Unit: 2614

Atty Dkt: C-DIT-1806 Fiesel

Examiner: Natnael, Paulos M.

Date: August 8, 2003

.....
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS INQUIRY

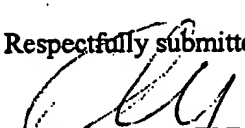
Dear Sir:

Applicant by and through his counsel hereby inquires as to the current disposition of the above-identified case. On September 19, 2002, Applicant filed an Amendment and Response, which the Patent Office received on September 24, 2002 (copy of postcard enclosed). Applicant had also filed a Change of Correspondence Address, along with a Status Inquiry, on September 24, 2001, which the Patent Office received on September 26, 2001 (copy of postcard enclosed). Accordingly, Applicant respectfully requests a status update of when the next action will take place on the application. Applicant further requests that the Patent Office provide a written reply to this status letter.

Such reply may be faxed to the following correspondence address:

Arthur L. Plevy, Esq.
Duane Morris LLP
100 College Road West, Suite 100
Princeton, New Jersey 08540
Telephone: (609) 919-4402
Facsimile: (609) 919-4401

Respectfully submitted,


ARTHUR L. PLEVY
Reg. No. 24,277

I hereby certify that this Status Inquiry is being mailed via first class mail with the United States Post Office under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Cheryl L. Powell

**CHANGE OF
CORRESPONDENCE ADDRESS
Application**

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/325,930
Filing Date	June 4, 1999
First Named Inventor	Fiesel
Group Art Unit	2838
Examiner Name	TBA
Attorney Docket Number	C-DIT-1806 Fiesel

Please change the Correspondence Address for the above-identified application to:



Customer Number

28581

Type Customer Number here



28581

PATENT TRADEMARK OFFICE

OR



Firm or
Individual Name

Duane Morris LLP

Address

100 College Road West, Suite 100

Address

City

Princeton

State

NJ

ZIP

08540

Country

USA

Telephone

(609) 919-4402

Fax

(609) 919-4401

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :



Applicant/Inventor.



Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Typed or Printed
Name

Arthur L. Plevy, Esq.

Signature

Date

September 24, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

C-DFF-1806

Serial No.: 09/326,930 Filing Date: 6-4-99 DM File No.: Fiksel

Title: Frequency converter for a television signal

First Inventor: Fiksel Date: 9-19-02

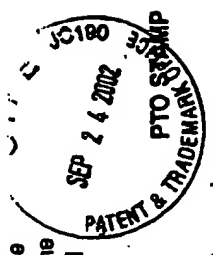
The PTO has received:

- ☐ Patent Application of _____
Pages (including claims & abstract)
☐ Declaration or ☐ Designation Sheet
☐ Drawings _____ Sheet(s)/Figs. _____ to _____
☐ Priority Document
☐ Small Entity Declaration
☐ Assignment & Conveyance Cover Sheet
☐ Information Disclosure Statement
☐ PTO 1449
☒ Amendment response
☐ Affidavit or Declaration

☐ _____

☐ Check No. _____ for \$ _____

Atty/Secy ALP/GH-1618



Serial No.: 09/326,930 Filing Date: 6-4-99 DM File No.: Fiksel

Title: Frequency converter for a television signal

First Inventor: Fiksel Date: 9-24-02

The PTO has received:

- ☐ Patent Application of _____
Pages (including claims & abstract)
☐ Declaration or ☐ Designation Sheet
☐ Drawings _____ Sheet(s)/Figs. _____ to _____
☐ Priority Document
☐ Small Entity Declaration
☐ Assignment & Conveyance Cover Sheet
☐ Information Disclosure Statement
☐ PTO 1449
☐ Amendment
☐ Affidavit or Declaration
☒ Amendment response

☐ Check No. _____ for \$ _____

Atty/Secy ALP/GH-1618



IMPORTANT MESSAGE

FOR ART

DATE 9/2/03 TIME 11:28 A.M.

M Examiner Natnael

OF USPTO

PHONE (703) 305-0019

AREA CODE NUMBER EXTENSION

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION	<input type="checkbox"/>

MESSAGE 09/325,930 -
C-DIT-1806 - Fiesel
what is status?

He's pulling file &
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SIGNED of me

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 609 919 4401

Fax Information

Date Received:


7/15/2004 2:50:36 PM [Eastern Daylight Time]

Total Pages:

5 (including cover page)

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Received
Cover
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07/15/2004 14:46 FAX 609 919 4401		DUANE MORRIS PRINCETON		0001	
		100 COLLEGE ROAD WEST, SUITE 100 PRINCETON, NJ 08540-6604 PHONE: 609.919.4400 FAX: 609.919.4401			
A Delaware limited liability partnership FRANK A. LUTCHER, RESIDENT PARTNER					
FACSIMILE TRANSMITTAL SHEET					
TO: Examiner Named					
FIRM/COMPANY: United States Patent and Trademark Office					
FACSIMILE NUMBER: (703) 872-9306					
CONFIRMATION TELEPHONE: (703) 305-0019					
FROM: Paul A. Schwarz, Esq.					
DIRECT DIAL: 609.919.4408					
DATE: July 15, 2004					
USER NUMBER: 3925					
FILE NUMBER: N0691-00063; U.S. Serial No. 09/325,930					
TOTAL # OF PAGES: 5 (including cover page)					
MESSAGE:					
NOTE: Original will NOT follow.					
CONFIDENTIALITY NOTICE					
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If there is a problem with this transmission, please call us as soon as possible at 609.919.4400.					
PTM4324.1					
PAGE 1/5 * RCVD AT 7/15/2004 2:50:36 PM [Eastern Daylight Time] * SVR:USPTO-EFTX07-10 * DMS:8729306 * CSD:609 919 4401 * DURATION (min-sec):01:46					



DUANE, MORRIS & HECKSCHER LLP

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PHONE: 609.919.4400
FAX: 609.919.4401

A Delaware limited liability partnership
FRANK A. LUCHAK, RESIDENT PARTNER

FACSIMILE TRANSMITTAL SHEET

TO: Examiner Natnael

FIRM/COMPANY: United States Patent and Trademark Office

FACSIMILE NUMBER: (703) 746-5976

CONFIRMATION TELEPHONE: (703) 305-0019

FROM: Paul A. Schwarz, Esq.

DIRECT DIAL: 609.919.4408

DATE: July 15, 2004

USER NUMBER: 3925

FILE NUMBER: N0691-00063; U.S. Serial No. 09/325,930

TOTAL # OF PAGES: 5
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*** TX REPORT ***

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TX/RX NO	0594
CONNECTION TEL	99#999999#17037465976
SUBADDRESS	
CONNECTION ID	
ST. TIME	07/15 14:50
USAGE T	01'28
PGS. SENT	5
RESULT	OK



DUANE MORRIS & HEITSCHEWITZ LLP

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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Natnael

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FACSIMILE NUMBER: (703) 746-5976

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FROM: Paul A. Schwarz, Esq.

DIRECT DIAL: 609.919.4408

DATE: July 15, 2004

USER NUMBER: 3925

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TOTAL # OF PAGES: 5
(INCLUDING COVER SHEET)

MESSAGE:



DUANE MORRIS & HECKSCHER LLP

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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Natnael

FIRM/COMPANY: United States Patent and Trademark Office

FACSIMILE NUMBER: (703) 872-9306

CONFIRMATION TELEPHONE: (703) 305-0019

FROM: Paul A. Schwarz, Esq.

DIRECT DIAL: 609.919.4408

DATE: July 15, 2004

USER NUMBER: 3925

FILE NUMBER: N0691-00063; U.S. Serial No. 09/325,930

TOTAL # OF PAGES: 5
(INCLUDING COVERSHEET)

MESSAGE:

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*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0593
CONNECTION TEL	99#999999#17038728308
SUBADDRESS	
CONNECTION ID	
ST. TIME	07/15 14:48
USAGE T	01'29
PGS. SENT	5
RESULT	OK



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FRANK A. LUCHAK, RESIDENT PARTNER

FACSIMILE TRANSMITTAL SHEET

TO: Examiner Natnael

FIRM/COMPANY: United States Patent and Trademark Office

FACSIMILE NUMBER: (703) 872-9306

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FROM: Paul A. Schwarz, Esq.

DIRECT DIAL: 609.919.4408

DATE: July 15, 2004

USER NUMBER: 3925

FILE NUMBER: N0691-00063; U.S. Serial No. 09/325,930

TOTAL # OF PAGES: 5
(INCLUDING COVERSHEET)

MESSAGE:

FAX COVER SHEET

**Electronic Information Center
Scientific and Technical Information Center
United States Patent and Trademark Office
2121 Crystal Drive, Room 3C03
Arlington, Virginia 22202
FAX: 703-305-5543/ PHONE: 703-305-4071, 703-306-0255**

Appl. No : 09/325,930

TO: PAUL Schwarz **FROM:** PAULOS M. Natnael
ORG: **PAGES:** 14 (including cover sheet)
FAX: (609) 631-2401 **DATE:** 10/1/2004

Message

Per our conversation this morning, I am sending you the two items that you requested: (1) Copy of Notice of Abandonment & (2) Copy of Office Action including form PTOL-326 (Office Action Summary).

Let me know if you have any further concerns. Thanks!

Paulos Natnael.
(703) 305-0019

Notice of Abandonment

Application No.

09/325,930

Examiner

Paulos M. Natnael

Applicant(s)

FIESEL, HANS

Art Unit

2614

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 18 November 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

* Despite repeated inquiry by the Examiner to find out what the status of the case is, Applicant's Representative has not responded. Examiner left message on the voice mail of Attorney Schwartz on June 23, 25, and 28.

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

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DETAILED ACTION

1. Notice of a non-compliant amendment (37 CFR 1.121) was wrongly sent to Applicant. Consequently, this Office Action in response to the Amendment and Response received September 24, 2002, was delayed. The Examiner regrets the delay.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-9, 11-12 are again rejected under 35 U.S.C. 102(e) as being anticipated by Boie, U.S. Pat. No. 5,748,262.

Considering claim 1, Boie discloses all claimed subject matter, note;

The claimed frequency converter for converting an intermediate-frequency television signal (s2) to a low frequency by means of a mixer (4) which is fed at its radio-frequency signal input (4.1) with the intermediate-frequency television signal (s2) via an intermediate-frequency filter (3) and at its local-oscillator-signal input (4.2) with a local-oscillator signal (u), the frequency of the local-oscillator signal (u) lying in the range of an adjacent picture carrier (NBT) which is defined by a channel spacing (ko; ko*) and a

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respective television standard, and which after the frequency conversion is suppressed as a converted adjacent picture carrier (NBT*), or at least attenuated to a negligible residual amplitude, by means of a high-pass selectivity skirt (HP) of a filter device (5), is met by the circuit of FIG.2 that comprises Mixer 10 which is fed with the intermediate-frequency television signal via an intermediate-frequency Filter 7 and at its local-oscillator signal input with a local-oscillator (12) signal, wherein the second pass band filter is "being adapted to eliminate the signals of the channels adjacent to this constant frequency limit of the transposed signal..." (Col. 3, lines 14-16).

Considering claim 2, wherein the frequency offset (df) of the local-oscillator signal (u) from the adjacent picture carrier (NBT) is less than the high-pass cutoff frequency (f_g) of the filter device is met by the disclosure in FIG.3D, wherein "the frequency $f_{sub.pc}$ has been lowered by a value that depends on the frequency of the local oscillator 12." (Col. 5, lines 14-16)

Considering claim 3, wherein the mixer (4) is fed at the local-oscillator-signal input (4.2) with a quantized local-oscillator signal (u), and that the harmonics produced by the mixer (4) are suppressed in the television signal (s_4) by means of a low-pass selectivity skirt (TP1, TP2) of the filter device (5) is met by Filter 13, Fig. 2. (See also col. 5, line 62 through col. 6, line 2)

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Considering claim 5, the claimed wherein the local-oscillator-signal input (4.2) is fed from a digitally controlled oscillator (8) whose frequency is determined by control signals (po) from a control unit (9) according to the respective television standard or the respective channel spacing is inherent, because a control unit such as a microprocessor, microcomputer, or any type of logic unit would have to be available in order to be able to control the overall function of the system by supply control signals to all units/parts of the system.

Considering claim 6, the claimed wherein after the filter device (5), the television signal (s5) is digitized for the further signal processing by means of an analog-to-digital converter (6) is met by A/D converter 23. (Fig.2).

Considering claim 7, Bole discloses all claimed subject matter, note;

a) the claimed a mixer having first and second inputs and an output is met by Multiplier 11, (Fig.2)

b) the claimed first filter being coupled to said first input of said mixer and adapted to provide an intermediate-frequency television signal (s2) thereto is met by filter 7, Fig. 2;

c) the claimed an oscillator coupled to said second input of said mixer and adapted to provide an oscillator-signal (u) lying in a range of an adjacent picture carrier (NBT) which is defined by a channel spacing (ko; ko*) and a respective television standard is met by Oscillator 12, Fig.2;

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d) the claimed a second filter coupled to said output of said mixer for attenuating said adjacent picture carrier to a negligible residual amplitude is met by Filter 13, fig.2;

Considering claim 8, see rejection of claim 2;

Considering claim 9, see rejection of claim 3;

Considering claim 11, see rejection of claim 5;

Considering claim 12, see rejection of claim 6;

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 10, 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boie, U.S. Pat. No. 5,748,262.

Considering claim 4, Boie discloses all claimed subject matter, except for;

The claimed wherein the local-oscillator signal (u) is a square-wave signal, particularly a signal having the values +1 and -1;

Regarding claim 4, Boie doesn't appear to disclose whether the local-oscillator signal (u) is a square-wave signal with the values +1 and -1. However, Boie suggests that "the frequency of the oscillator 12 can be modified by means of a voltage U applied

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to the oscillator 12, in order to adapt the fixed frequency f.sub.Lo to the TV standard concerned". (col. 5, lines 2-5)

Therefore, it would have been an obvious matter of design choice to the skilled in the art at the time the invention was made to modify the oscillator frequency with a desired value as suggested by Boie, since Applicant has not disclosed that having the range of +1 to -1 solves any stated problem and it appears that any desired value would perform equally well.

Considering claim 10, see rejection of claim 4;

Considering claim 13, Boie discloses the following claimed subject matter, note;

- a) filtering an intermediate-frequency signal with a first filter; generating an oscillator signal (u) is met by the filter 7, Fig.2;
- b) mixing said filtered intermediate-frequency signal and said oscillator signal (u) is met by the Mixer 10, Fig.2;
- c) filtering said mixed signals using a second filter having a high-pass selectivity skirt located near the frequency origin and a low-pass characteristic for higher frequencies is met by the Filter 13, Fig.2;

Except for;

- d) separating said high-pass selectivity skirt filtered signal into visual and audible components for reproduction.

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Regarding d), Boie doesn't disclose a method of separating the filtered signal into visual and audible components for reproduction. However, Examiner takes Official Notice here in that separating or demodulating or demultiplexing video/image/picture and audio signal and reproducing separately is well known in the art, and therefore, would have been obvious to the skilled in the art to modify the reference of Boie by providing a demultiplexer so that the signals are appropriately separated and transmitted to appropriate devices such as the display and speakers of the TV receiver.

Considering claim 14, wherein said first filter comprises a surface-wave filter is met by the disclosure that the "two filters are advantageously SAW (surface wave) filters" (col. 3, lines 19-20)

Considering claim 15, see rejection of claim 2;

Considering claim 16, see rejection of claim 3;

Considering claim 17, see rejection of claim 4;

Considering claim 18, see rejection of claim 6;

Considering claim 19, see rejection of claim 5;

Considering claim 20, see rejection of claim 5;

Response to Arguments

6. Applicant's arguments filed September 24, 2002 have been fully considered but they are not persuasive. Response follows:

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Applicant's Arguments

a) Accordingly, the filter processing of Bole, performed at IF, isolates the desired channel from the original signal. Furthermore, the filter 13 of Boie removes the adjacent channel by its low-pass selectivity skirt (HP), which is located above the highest frequency of the desired channel-this means the selection must operate at a much higher frequency range than in the present invention. Therefore, the selectivity skirt of Boie is more critical to define and to realize than the simple low frequency selectivity skirt of the invention. Its slope is not critical whether in its relative low frequency range or in its demand of the steepness of the slope.

b) Boie cannot be said to anticipate the present invention because Bole does not disclose performing baseband conversion using a LO frequency based on channel spacing and TV standard. Nor does Bole disclose suppressing converted adjacent channel, or at least attenuated to a negligible residual amplitude, by means of a high-pass selectivity skirt, as is claimed.

c) With regard to independent claim 7, the examiner rejected this claim citing the same reference used in rejecting claim 1. Thus, applicant's remarks made in response to the examiner's rejection of claim 1 are also applicable; in response to the examiner's rejection of claim 7. Accordingly, applicant submits that in view of the remarks made with regard to the rejection of claim 1, which are repeated herein in response to the

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rejection of claim 7, the examiner's rejection of claim 7 can no longer be sustained.

Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of claim 7.

d) With regard to claims 4 and 10, the examiner suggests that it would be obvious to vary a voltage to obtain a square wave output of local oscillator. However, contrary to the examiner's suggestion, Boie does not disclose or suggest or provide the motivation to one skilled in the art to modify the device of Boie as suggested by the examiner. In fact, one would not be motivated to implement the alteration of the LO setting as suggested by the examiner as the voltage U is used to alter the fixed LO frequency setting that is used for each different TV standard. One would not look to Boie to alter the fixed frequency of the LO frequency setting, as suggested by the examiner, as Boie only uses the voltage U to set the LO frequency setting for the different TV standards. Having shown that one would not look to Boie to implement the varying of the LO frequency setting, as suggested by the examiner, applicant submits that the present invention as recited in either claim 4 or 10 is not obvious in view of the reference cited.

e) With regard to independent claim 13, contrary to the examiner's position, independent claim 13 is not obvious over the cited reference. As previously stated, Boie discloses filtering to remove channels above the desired channel and does not disclose a filter having a high-pass selectivity skirt located near the frequency origin, as is claimed in the present invention. Accordingly, independent claim 13 is not obvious in

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view of the cited reference as even though de-multiplexing is well known in the art, Boie would not motivate one to develop the novel features of the present invention.

Examiner's Response

a) Boie discloses that the second filter 13 is a band pass filter, not low-pass.

Argument is unpersuasive.

b) Of course, Boie discloses a conversion to baseband using LO frequency based on channel spacing. Because, Boie discloses that "in a first stage, the signal (S_{n+1}) of channels adjacent to said substantially constant frequency limit are eliminated by filtering, choosing the filtering characteristics such that, whatever the bandwidth of the signal to be digitized (that may change from one standard to another), this signal to be digitized is not altered on its variable frequency limit side by the filtering." (col.2, lines 26-32) Therefore, the argument that "Boie does not disclose performing baseband conversion using a LO frequency based on channel spacing and TV standard, is unpersuasive.

c) see response in parts A and B.

d) as shown in the rejection of claims 4 and 10, Boie clearly suggests that the LO signal can be modified, "in order to adapt the fixed frequency to the TV standard concerned". (col. 5, lines 2-5) Argument is unpersuasive.

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e) Boie discloses a band pass filtering, and that "the limit 5a remains substantially constant, whatever the TV standard is used, so the filter 13 whose limit 15 is also constant can be used for all TV standards...The width Q of the pass-band of the second filter SAW is chosen such that the signal to be processed is not altered by the second filter 13, whatever the TV standard. In other words, we choose the bandwidth Q such that in all cases, whatever the standard, the lower limit 16 of the pass-band 14 of the second filter 13 is less than the lower limit 6a of the signal to be processed. (co. 5, lines 45-55) Therefore, the argument that Boie "does not disclose a filter having a high-pass selectivity skirt located near the frequency origin, as is claimed in the present invention. Accordingly, independent claim 13 is not obvious", is unpersuasive.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Paulos Natnael
November 16, 2003

Office Action Summary

Application No.

09/325,930

Applicant(s)

FIESEL, HANS

Examiner

Paulos M. Natnael

Art Unit

2814

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
 Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

12/1/2004

A	B	C	D	E	F	G
1	DATE RECEIVED CORRESPONDENCE RECEIVED	CTRY	ATTY	FILE NO/PAT NO	OUR FILE	
3036	11/19/03 FILING RECEIPT	US	PAS	10/432079	PS-2	
3037	11/19/03 NOA - ISSUE FEE DUE 217/04	US	PAS	10/048577	KEAR-2	
3038	11/20/03 NOA - DUE 218/04	US	RJH	10/200867	LOCKHEED-17 DIV	
3039	11/20/03 OA - RESPONSE DUE 219/04 (3 MONTH)	US	WJM	10/365143	GE-07/075	
3040	11/21/03 TM - NOTICE OF PUBLICATION	US	SOG	78/226141	LOCKHEED MARTIN STARS INSTITUTE AND DESIGN	
3041	11/21/03 TM - NOTICE OF PUBLICATION	US	SOG	78/223455	F/A-22	
3042	11/21/03 TM - NOTICE OF PUBLICATION	US	SOG	78/226140	LOCKHEED MARTIN STARS INSTITUTE	
3043	11/21/03 DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT	US	PAS	09/871315	FRAMTRAK-8	
3044	11/21/03 NOA - ISSUE FEE AND DRAWINGS DUE 220/04	US	ALP	10/018078	COVAREL-1	
3045	11/21/03 NOTICE OF PUBLICATION OF APPLICATION	US	RJH	10/357628	LOCKHEED-31 CIP	
3046	11/21/03 NOTICE OF PUBLICATION OF APPLICATION	US	ALP	10/463880	KULITE-64 DIV	
3047	11/21/03 NOTICE OF PUBLICATION OF APPLICATION	US	ALP	10/430124	DVX-1	
3048	11/21/03 DECISION ON PETITION AND NOTICE OF PATENT EXPIRATION	US	ALP	5437493	WEISLEDER-1	
3049	11/21/03 NOTICE OF PUBLICATION OF APPLICATION	US	ALP	10/142181	SABINI 10-6-3	
3050	11/21/03 NOTICE OF RECORDATION OF ASSIGNMENT	US	ALP	10/275848	ADSTIN-1	
3051	11/21/03 LETTERS PATENT	US	WJM	6650558	GE-07/084	
3052	11/24/03 CORRESPONDENCE FROM TIAH RE NEW OPPOSITION DEADLINE	US	SOG	78/191989	SUNSEKKER INTL.	
3053	11/24/03 NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371	US	PAS	10/467008	GREENHUT-1	
3054	11/24/03 FILING RECEIPT	US	RJH	60/504642	GE-002P	
3055	11/24/03 OA - RESPONSE DUE 218/04 (3 MONTH)	US	ALP	10/311981	VALENTIN-1	
3056	11/24/03 PCT - NOTIFICATION OF TRANSMITTAL OF IPER	WO	RJH	PCT/US02/2467	MSI-186 PCT	
3057	11/24/03 UPDATED FILING RECEIPT	US	ALP	10/445543	STRUBTE-1	
3058	11/24/03 OA - RESPONSE DUE 220/04 (3 MONTH)	US	WJM	10/252857	GE-07/077	
3059	11/24/03 CERTIFICATE OF CORRECTION	US	PAS	6214079	KEAR-1 DIV	
3060	11/24/03 CERTIFICATE OF CORRECTION	US	PAS	6090343	KEAR-1	
3061	11/26/03 OA AND COPY OF APP. FROM LINDA TINDAL - RESPONSE DUE 217/04 (3 MONTH)	US	RJH	10/333515	RCA P7000075	
3062	11/26/03 RECORDED ASSIGNMENT	US	RJH	10/454440	OR-07/628	
3063	11/26/03 OA - RESPONSE DUE 225/04 (3 MONTH)	US	ALP	10/232256	COVAREL-2	
3064	12/1/03 TM - NOTICE OF PUBLICATION	US	SOG	78/975067	JOINT STRIKE FIGHTER	
3065	12/1/03 TM - NOTICE OF PUBLICATION	US	SOG	78/231944	WE NEVER FORGET WHO WE'RE WORKING FOR	
3066	12/1/03 TM - NOTICE OF PUBLICATION	US	SOG	78/231940	WE NEVER FORGET WHO WE'RE WORKING FOR	

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3067 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231839	WE NEVER FORGET WHO WE'RE WORKING FOR	
3068 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231837	WE NEVER FORGET WHO WE'RE WORKING FOR	
3069 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231834	WE NEVER FORGET WHO WE'RE WORKING FOR	
3070 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231832	WE NEVER FORGET WHO WE'RE WORKING FOR	
3071 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231831	WE NEVER FORGET WHO WE'RE WORKING FOR	
3072 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231828	WE NEVER FORGET WHO WE'RE WORKING FOR	
3073 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231913	WE NEVER FORGET WHO WE'RE WORKING FOR	
3074 12/1/03	TM. NOTICE OF PUBLICATION	US	SOG	78231806	WE NEVER FORGET WHO WE'RE WORKING FOR	
3075 12/1/03	TM. NOTICE OF ACCEPTANCE AND ACKNOWLEDGEMENT	US	SOG	2132344	INNOVATIVE COLOR SIMULATOR	
3076 12/2/03	PCT. NOTICE INFORMING APPLICANT OF COMMUNICATION OF INT'L APP TO DESIGNATED OFFICES	WO	ALP	PCT/US03/14227	SABINI 10-6-6-3 PCT	
3077 12/2/03	NOA. ISSUE FEE AND DRAWINGS DUE 2/25/04	US	ALP	10/181540	PLW-13871	
3078 12/2/03	LETTERS PATENT	US	EJH	6653873	LOCKHEED-32	
3079 12/2/03	NOTICE OF PUBLICATION OF APPLICATION	US	ALP	10/484391	KULITE-57 DIV	
3080 12/2/03	RECORDED ASSIGNMENT	US	ALP	10/337083	HARTFORD-10	
3081 12/2/03	NOA. ISSUE FEE DUE 3/1/04	US	WHM	10/233794	GE-07048	
3082 12/2/03	NOTICE OF PUBLICATION OF APPLICATION	US	EJH	10/349482	MSI-108	
3083 12/2/03	FILING RECEIPT	US	EJH	10/648166	LOCKHEED-48	
3084 12/2/03	ISSUE NOTIFICATION	US	EJH	6661386	LOCKHEED-27	
3085 12/2/03	RECORDED ASSIGNMENT	US	WHM	10/455544	GE-07091	
3086 12/2/03	ADVISORY ACTION	US	ALP	09/980442	GARNIER-3	
3087 12/2/03	NOTICE OF NEW OR REVISED PROTECTED PUBLICATION DATE	US	EJH	10/386175	LOCKHEED-15	
3088 12/2/03	RECORDED ASSIGNMENT	US	ALP	10/275767	SANCHEZ-2	
3089 12/2/03	NOA. ISSUE FEE DUE 3/1/04	US	ALP	10/104368	KULITE-72	
3090 12/4/03	PCT. NOTICE INFORMING APPLICANT OF COMMUNICATION OF INT'L APP TO DESIGNATED OFFICES	WO	EJH	PCT/US02/33820	LOCKHEED-22 PCT	
3091 12/4/03	ELECTION/RESTRICTION REQUIREMENT DUE 1/1/04 (1 MONTH)	US	ALP	10/338725	KULITE-63	
3092 12/4/03	CERTIFICATE OF CORRECTION	US	ALP	6590320	COPY-50	
3093 12/4/03	OA. RESPONSE DUE 3/2/04 (3 MONTH)	US	ALP	10/242244	KULITE-79	
3094 12/4/03	NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APP	US	EJH	10/625482	MSI-160	
3095 12/4/03	FILING RECEIPT	US	EJH	10/625482	MSI-160	

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DATE RECD	CORRESPONDENCE RECEIVED	CITY	ATTY	SER. NO./PAT. NO.	OUR FILE	
3096 12/4/03	NOTICE OF ABANDONMENT	US	PAS	09/800530	GAIN-3	
3097 12/4/03	MAIN FEE STATEMENT	US	PAS	6060408	MONICA-2	
3098 12/4/03	NOTICE OF ABANDONMENT	US	ALP	10/069344	GAUTIER-2	
3099 12/4/03	TM - NOA DUE 5/25/04	US	SOG	78/975066	JOINT STRIKE FIGHTER	
3100 12/4/03	TM - NOA DUE 5/25/04	US	SOG	78/975056	JOINT STRIKE FIGHTER	
3101 12/8/03	FILING RECEIPT	US	ALP	60/507070	DVX-3P	
3102 12/8/03	NOA - ISSUE FEE DUE 3/30/04	US	PAS	10/135101	MCKENNA-1 CON	
3103 12/8/03	RECORDED ASSIGNMENT	US	EJH	10/182655	LOCKHEED-13	
3104 12/8/03	NOTICE TO FILE CORRECTED APPLICATION PAPERS	US	WHM	10/659172	ATL-2	
3105 12/8/03	FILING RECEIPT	US	WHM	10/659172	ATL-2	
3106 12/8/03	NOA - ISSUE FEEDBACKS DUE 3/2/04	US	ALP	29/17311	DEBLASSE-2	
3107 12/8/03	OA - RESPONSE DUE 3/30/04 (3 MONTH)	US	ALP	09/676391	HARTFORD-3	
3108 12/9/03	OA - RESPONSE DUE 3/30/04 (3 MONTH)	US	WHM	10/230733	GE-07066	
3109 12/9/03	FOA - RESPONSE DUE 2/5/04 (2 MONTH)	US	ALP	10/016035	KULITE-66	
3110 12/9/03	ISSUE NOTIFICATION	US	WHM	66/80012	VF-43245 (ADM26539)	
3111 12/9/03	ISSUE NOTIFICATION	US	EJH	66/80218	LOCKHEED-21 (OR-07507)	
3112 12/10/03	RECORDED ASSIGNMENT	US	ALP	SIN 09/468907, PAT. 5562326	MEU-ROT-1, MEU-ROT-2 CPA	
3113 12/10/03	PCT NOTIFICATION OF TRANSMITTAL OF ISR	WO	EJH	PCT/US03/22396	MSI-166 PCT	
3114 12/10/03	NOA - ISSUE FEEDBACKS DUE 3/5/04	US	ALP	10/430124	DVX-1	
3115 12/10/03	RESPONSE TO RULE 312 COMMUNICATION	US	ALP	10/103694	PLV-JANOSIK-1	
3116 12/10/03	PCT NOTIFICATION OF TRANSMITTAL OF ISR	WO	EJH	PCT/US03/22386	MSI-166 PCT	
3117 12/10/03	LETTERS PATENT	US	EJH	66/1386	LOCKHEED-27	
3118 12/11/03	NOTICE OF NEW OR REVISED PROTECTED PUBLICATION DATE	US	ALP	10/415932	LAVALLER-2	
3119 12/12/03	FOA - RESPONSE DUE 2/11/04 (2 MONTH)	US	ALP	09/690666	OUTLIER-CHATON-1	
3120 12/12/03	OA - RESPONSE DUE 3/10/04 (3 MONTH)	US	ALP	10/031032	CINQUIN-2	
3121 12/12/03	TM - NOTICE OF ALLOWANCE	US	SOG	78/207370	PROTECTION REDEFINED (IMPACT PROTECTIVE EQUIPMENT, LLC)	
3122 12/12/03	TM - NOTICE OF ALLOWANCE	US	SOG	78/207370	DARWIN (IMPLEX CORP)	
3123 12/12/03	TM - NOTICE OF ACCEPTANCE/ACKNOWLEDGEMENT OF SECS. 86.15	US	SOG	2198331	COBERX (IMPLEX CORP)	
3124 12/15/03	NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371	US	ALP	10/468686	HERVE-2	
3125 12/15/03	TM - NOTICE OF APPROVAL OF EXTENSION REQUEST	US	SOG	78/114441	LM PEOPLE	
3126 12/15/03	TM - OA RESPONSE DUE 6/12/04	US	SOG	78/232009	WE NEVER FORGET WHO WE'RE WORKING FOR	
3127 12/15/03	TM - OA RESPONSE DUE 6/12/04	US	SOG	78/232017	WE NEVER FORGET WHO WE'RE WORKING FOR	

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1	DATE RECEIVED	CRT	ATTN	SER. NO. PAT. NO.	OUR FILE	
3128	12/15/03	US	SOG	78114441	LM PEOPLE	
3129	12/15/03	US	SOG	78231949	WE NEVER FORGET WHO WE'RE WORKING FOR	
3130	12/17/03	US	RJH	10182864	LOCKHEED 18	
3131	12/17/03	US	SOG	78183439	LOCKHEED MARTIN	
3132	12/17/03	US	SOG	78183457	LOCKHEED MARTIN	
3133	12/18/03	US	WHM	10171606	GE-07/71	
3134	12/18/03	US	WHM	09355863	GE-07/053	
3135	12/18/03	US	WHM	60511159	80MB3400P	
3136	12/22/03	US	RJH	10/688485	BAE 12	
3137	12/22/03	US	WHM	6671729	VF-43256A	
3138	12/22/03	WO	ALP	PCT/US0218021	PLW-2001-006 PCT	
3139	12/22/03	US	ALP	6670891	JAMET-1	
3140	12/22/03	US	ALP	6663379	PLW-JANOSIE-2	
3141	12/22/03	US	PAS	6669427	FRAMTRAK 12	
3142	12/22/03	US	SOG	78082758	F-35	
3143	12/22/03	US	SOG	78083028	JSP	
3144	12/22/03	US	SOG	78286190	INN-PHON	
3145	12/22/03	US	SOG	78099634	JOINT STRIKE FIGHTER	
3146	12/22/03	US	PAS	09/660918	PH US000230	
3147	12/22/03	US	RJH	60/453323	E0616-00001 (TELETYPE FOUNDATION)	
3148	12/22/03	US	ALP	6674242	COPY 64A	
3149	12/22/03	US	WHM	6669441	NO-00057A	
3150	12/22/03	WO	WHM	PCT/US032501	80PC3884 PCT	
3151	12/22/03	US	WHM	6668012	VF-03245 (ADM28530)	
3152	12/22/03	US	ALP	09/733016	VION-1	
3153	12/22/03	US	RJH	10/357628	LOCKHEED-31 CIP	
3154	12/22/03	US	ALP	09/818708	ADELSON-1	
3155	12/30/03	US	WHM	10/072033	GE-07/020	
3156	12/30/03	US	WHM	10/674716	GE-07/162	
3157	12/30/03	US	RJH	10/252700	N1028-00003	
3158	12/30/03	US	RJH	6668218	LOCKHEED-21 (GE-07/607)	
3159	12/30/03	US	RJH	10/027555	SUNGW00-1	
3160	12/30/03	US	ALP	10/677886	KULITE-32	